

### **REMARKS**

The Office Action dated August 15, 2006 has been received and carefully noted. The above amendments to the claim, and the following remarks, are submitted as a full and complete response thereto. No new matter has been introduced, and therefore, claim 1 is pending and submitted for consideration herewith.

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by *Aono* (JP 2001-234798). The Office Action took the position that *Aono* teaches each and every element recited in the rejected claim. Applicants traverse the rejection and respectfully submit that claim 1 recites subject matter that is not taught or disclosed by *Aono*.

Claim 1 recites a control apparatus for a multicylindered internal combustion engine having direct cylinder fuel-injection that directly injects fuel in a combustion chamber of each cylinder. The control apparatus includes an air flow rate sensor which is mounted on a branch pipe located downstream from a throttle valve in an air intake passage of the internal combustion engine and which measures a quantity of air suctioned into the internal combustion engine, and a control section which calculates a fuel injecting quantity in accordance with measurement information outputted from the air flow rate sensor and which outputs a signal to a fuel injecting device of the internal combustion engine.

*Aono* teaches an internal combustion engine where the position of the air flow rate sensor is substantially equivalent to that of a throttle valve, *i.e.*, the air intake manifold including a branch pipe is used on the downstream side of the throttle valve. As a result,

the airflow rate sensor measures the air flow rate that is obtained by adding the air filled in the air intake manifold to the air suctioned into the cylinders of the internal combustion engine.

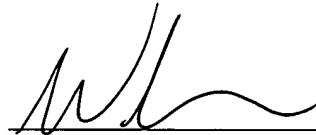
However, *Aono* does not teach or disclose a control apparatus that includes an air flow rate sensor which is mounted on a branch pipe located downstream from a throttle valve in an air intake passage of the internal combustion engine and which measures a quantity of air suctioned into the internal combustion engine, as recited in Applicant's independent claim 1. In the invention recited in claim 1, the branch pipe is part of the air intake manifold and is located closest to the cylinders of the engine. Since the air flow sensor is positioned in the branch pipe, the air flow sensor measures the actual quantity of air suctioned into the individual cylinder associated with the branch pipe, and not the collective air passing through the main air intake passage. Thus, the flow sensor of the present invention allows for measurement of the air flow into each individual cylinder, whereas *Aono* only has the capability of measuring the total airflow into the engine. Therefore, Applicant submits that *Aono* fails to teach or disclose each and every element recited in claim 1 of the present application. Thus, reconsideration and withdrawal of the rejection of claim 1 is respectfully requested.

In conclusion, Applicant submits that claim 1 of the present application recites subject matter that is not taught or disclosed by the cited prior art. As such, withdrawal of the rejection of claim 1 and allowance thereof is respectfully requested. Claim 1 is pending and submitted for consideration herein.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'N. Alexander Nolte', is written over a horizontal line.

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